

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of John Francis MILLER, et al.

Serial No.: To be assigned

Art Unit: To be assigned

Filing Date: Concurrently Herewith

Examiner: To be assigned

For: *PHARMACEUTICAL METERED DOSE INHALER AND METHODS RELATING THERETO*

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☐ Copies of the following references are enclosed.
- ☐ Copies of the references were submitted in parent application Serial No. \_\_\_\_\_. (37 CFR 1.98(d))
- ☒ A copy of the International Search Report which issued on International Application No. PCT/US2004/026252 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

- ☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311, whichever occurs first.

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

Receipt date: 02/10/2006

Atty. Docket No. PR60436USW

10/568051  
IAPS Rec'd PCT/PTO 10 FEB 2006

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

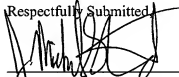
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. [or]
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted



J. Michael Strickland, Attorney of Record  
Registration No. 47,115

Date: February 10, 2006

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		ATTORNEY DOCKET NO. PR60436USW		SERIAL NO. 10/568051 To be assigned			
		APPLICANT: John Francis MILLER, et al.					
		FILING DATE: Concurrently Herewith		GROUP To be assigned			
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	5,427,282	06/27/1995	GREENLEAF, et al.			
	2.	5,550,211	08/27/1996	DECROSTA, et al.			
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes   No
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
Continue on page _____							
EXAMINER /Edward Cain/				DATE CONSIDERED 12/09/2008			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /EC/